

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
WASHINGTON, DC 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO TITLE
09/965,050	09/27/2001	Stephan Hauser	2001-6010-RA

**CONFIRMATION NO. 5479** 

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Date Mailed: 01/14/2003

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## **Domestic Continuity and Foreign Priority**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because: The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78. Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification. A claim for priority cannot be made based on an application filed after the application making the claim. Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4). A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date. Foreign priority will appear on the Filing Receipt in the following order: Country, Application number, Filing date. This application is the result of a conversion from a provisional application. Priority based

on such application cannot be made since it no longer exists as a provisional application.

X	The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority. Switzerland 1788/99 filed 09/27/1999
	To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
	To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.
X	The difference between the fees paid and the fees due was refunded to the applicant and will not be shown on the filing receipt
Off	Stomer Service Center fice of Initial Patent Examination 03) 308-1202